

LATE REVISIONS

PROPOSED ORDER AMENDING DELTA-AREA PUBLICLY-OWNED TREATMENT WORKS WASTE DISCHARGE REQUIREMENTS TO ALLOW FOR PARTICIPATION IN THE DELTA REGIONAL MONITORING PROGRAM

Regional Water Quality Control Board, Central Valley Region
Board Meeting – 9 October 2014
ITEM # 14

The following late revisions modify the proposed amending Order to 1) add a new finding regarding the Delta RMP monitoring plan status, 2) add clarifying language that dischargers may conduct additional receiving water monitoring as they deem appropriate, 3) add requirement to submit representative ambient background data for priority pollutant constituents with the Report of Waste Discharge, 4) remove the Reopener Provision for the Delta RMP as discussed in the Staff Response to Comments document, 5) add requirement to annually submit representative upstream receiving water temperature data for certain dischargers, and 6) correct section references and other typographical errors. All revisions are shown in red underline/strikeout format.

1. Add a new Finding No. 7 to the proposed amending Order as shown in underline format below, and renumber remaining findings:

7. The Delta RMP is currently working on a monitoring plan with four focus areas: pathogens, methylmercury, pesticides/toxicity, and nutrients. The monitoring plan should be completed in January 2015. This plan will specify monitoring locations, constituents, and studies, including how the RMP sampling will be coordinated with existing sampling efforts in the Delta by other entities. RMP sampling is currently proposed to begin in April 2015, with an initial focus on pathogens.

2. Attachments A through N, modify item No. 2 to make the following changes to the inserted text for Section VIII, Receiving Water Monitoring Requirements, beginning with the 3rd sentence in the 2nd paragraph as shown in underline/strikeout format below:

If the Discharger fails to adequately support the Delta Regional Monitoring Program, as defined by the Delta RMP Steering Committee, the Discharger shall reinstitute individual receiving water monitoring under Attachment E, Sections VIII.A.1 and VIII.A.2, upon written notice from the Executive Officer. During the participation in the Delta RMP, the Discharger may, however, conduct and submit any or part of the receiving water monitoring included in this Monitoring and Reporting Program that is deemed appropriate by the Discharger which is not conducted by the Delta RMP and submit that monitoring data as required in the Monitoring and Reporting Program.

3. Attachments A through N, modify item No. 2 to make the following changes to the inserted text for Section VIII, Receiving Water Monitoring Requirements, in the 4th paragraph as shown in underline/strikeout format below:

During the period of participation in the Delta Regional Monitoring Program, the Discharger shall continue to report any individually conducted receiving water monitoring data in the Electronic Self-Monitoring Reports (eSMR) according to the Monitoring and Reporting Program. In addition, with each submitted eSMR, 1) with each submitted eSMR, the Discharger's eSMR cover letter shall state that the Discharger is participating in the Delta Regional Monitoring Program in lieu of conducting the individual receiving water monitoring program required by the permit, and 2) with each annual report, the Discharger shall attach a copy of the letter originally

submitted to the Central Valley Water Board describing the monitoring location(s) and constituent combinations that will no longer be conducted individually.

4. Attachments A, B, C, D, E, H, I, J, K, and L, modify item No. 2 to add a footnote at the end of the 2nd sentence of the 1st paragraph of Section VIII, Receiving Water Monitoring Requirements, as shown below:

However, in lieu of conducting the individual monitoring specified in Attachment E, Sections VIII.A.1, VIII.A.2 and VIII.A.3 of this Order (including visual observations), the Discharger may elect to participate in the Delta Regional Monitoring Program.¹

¹ If the Discharger elects to participate in the Delta RMP, it shall continue to submit receiving water data for temperature. At minimum, one representative upstream receiving water temperature sample shall be submitted annually for the month of January. The temperature data shall be submitted in the January self-monitoring report and will be used to determine compliance with the temperature effluent limitation. Temperature data may be collected by the Discharger for this purpose or the Discharger may submit representative temperature data from the Delta RMP or other appropriate monitoring programs (e.g., Department of Water Resources, United States Geological Survey, etc.).

5. Attachments B, C, D, E, I, J, L, M, and N, modify item No. 3 to make the following changes to the inserted text for the Effluent and Receiving Water Characterization monitoring requirements as shown in underline/strikeout format below:

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII above, the Receiving Water portion of this Characterization Monitoring ~~is not required need not be conducted by the Discharger.~~ However, the Report of Waste Discharge for the next permit renewal shall include, at minimum, one representative ambient background characterization monitoring event for priority pollutant constituents during the term of the permit. Instead, d~~Data from the Delta Regional Monitoring Program may be~~ utilized to characterize the receiving water in the permit renewal. The Discharger may request that the RMP perform sampling and laboratory analysis to address all or a portion of the monitoring under this Characterization Monitoring with the understanding that the Discharger will provide funding to the RMP sufficient to reimburse all of the costs of this additional effort. Alternatively, the Discharger may conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with this Characterization Monitoring. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point.

6. Attachments D, E, I, L, and N, modify item No. 5, and Attachments F, G, H, and K, modify item No. 4, to make the following changes to the inserted text for Section II, Monitoring Requirements in the Effluent and Receiving Water Characterization Study attachment as shown in underline/strikeout format below:

II. Monitoring Requirements

If the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, Section VIII, ~~all or part of~~ the Receiving Water portion of this Characterization Study ~~is not required need not be conducted by the Discharger.~~ However, the Report of Waste Discharge for the next permit renewal shall include, at minimum, one representative

~~ambient background characterization monitoring event for priority pollutant constituents during the term of the permit. Instead,~~Data from the Delta Regional Monitoring Program plus any receiving water characterization conducted by the Discharger will be utilized to characterize the receiving water in the permit renewal. The Discharger may request that the RMP perform sampling and laboratory analysis to address all or a portion of the monitoring under this Characterization Monitoring with the understanding that the Discharger will provide funding to the RMP sufficient to reimburse all of the costs of this additional effort. Alternatively, the Discharger may conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with this Characterization Monitoring. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point.

7. Attachment A – Amending Waste Discharge Requirements Order R5-2010-0114-03, Sacramento Regional County Sanitation District, Sacramento Regional Wastewater Treatment Plant

- a. Modify item No. 1 to make the following changes as shown in underline/strikeout format below:

Limitations and Discharge Specifications. ~~Remove section VI.C.1.j, Reopener Provision for Regional Monitoring Program, and Add add~~ the following text in section VII, Compliance Determination, as shown in underline format below:

- b. Modify item No. 2 to add the new text shown below after the 2nd sentence of the 2nd paragraph for Section VIII, Receiving Water Monitoring Requirements:

If the Discharger participates in the Delta Regional Monitoring Program in lieu of conducting individual receiving water monitoring, the Discharger shall continue to participate in the Delta Regional Monitoring Program until such time as the Discharger informs the Board that participation in the Delta RMP will cease and individual monitoring is reinstituted. Receiving water monitoring under Attachment E, Sections VIII.A.1, VIII.A.2 and VIII.A.3, is not required under this Order so long as the Discharger adequately supports the Delta Regional Monitoring Program. However, the Report of Waste Discharge for the next permit renewal shall include, at minimum, one ambient background characterization monitoring event for priority pollutant constituents during the term of the permit. Data from the Delta Regional Monitoring Program may be utilized to characterize the receiving water in the permit renewal. Alternatively, the Discharger may conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with this Characterization Monitoring.

- c. Modify item No. 3 to make the following changes as shown in underline/strikeout format below:

Fact Sheet. ~~Remove section VII.B.1.j, Rationale for Reopener Provision for Regional Monitoring Program, and add the following text in~~ ~~Add text~~ to section VI.D.1, Rationale for Monitoring and Reporting Requirements, as shown in underline format below:

~~VI.D.~~ Receiving Water Monitoring

8. Attachment B – Amending Waste Discharge Requirements Order R5-2014-0014, California Department of Corrections and Rehabilitation, Deuel Vocational Institution

- a. Modify item No. 1 to make the following changes as shown in underline/strikeout format below:

Limitations and Discharge Specifications. Remove section VI.C.1.h, Reopener Provision for Regional Monitoring Program and a Add the following text in section VII, Compliance Determination, as shown in underline format below:

- b. Modify item No. 4 to make the following changes as shown in underline/strikeout format below:

Fact Sheet. Remove section VI.B.1.h, Rationale for Reopener Provision for Regional Monitoring Program, and Add add the following text to section V.A.2.VII.D, Rationale for Monitoring and Reporting Requirements, as shown in underline format below:

- c. Modify item No. 4 to remove text beginning with “Section V. RATIONAL FOR RECEIVING WATER LIMITATIONS” and through the related text in subsection A. Add text and correct the numbering as follows in underline/strikeout format below:

D. Receiving Water Monitoring

2.—Delta Regional Monitoring Program

9. Attachment C – Amending Waste Discharge Requirements Order R5-2014-0070, City of Stockton, Regional Wastewater Control Facility

- a. Modify item No. 1 to make the following changes as shown in underline/strikeout format below:

Limitations and Discharge Specifications. Remove section VI.C.1.g, Reopener Provision for Regional Monitoring Program, and Add add the following text in section VII, Compliance Determination, as shown in underline format below:

- b. Modify item No. 4 to make the following changes as shown in underline/strikeout format below:

Fact Sheet. Add the following text to section V.A.2.VII.D, Rationale for Monitoring and Reporting Requirements, as shown in underline format below:

V.—RATIONAL FOR RECEIVING WATER LIMITATIONS

A.—Surface Water

- 1.—CWA section 303(a-c), requires states to adopt water quality standards, including criteria where they are necessary to protect beneficial uses. The Central Valley Water Board adopted water quality criteria as water quality objectives in the Basin Plan. The Basin Plan states that “[t]he numerical and narrative water quality objectives define the least stringent standards that the Regional Water Board will apply to regional waters in order to protect the beneficial uses.” The Basin Plan includes numeric and narrative water quality objectives for various beneficial uses and water bodies. This Order contains receiving surface water limitations based on the Basin Plan numerical and narrative water quality objectives for bacteria, biostimulatory substances, color, chemical constituents,

~~dissolved oxygen, floating material, oil and grease, pH, pesticides, radioactivity, suspended sediment, settleable substances, suspended material, tastes and odors, toxicity, and turbidity. This Order also includes receiving surface water limitations for temperature based on the State Water Board's Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California (Thermal Plan).~~

D. Receiving Water Monitoring

2. Delta Regional Monitoring Program

10. Attachment D – Amending Waste Discharge Requirements Order R5-2012-0115, City of Tracy, Tracy Wastewater Treatment Plant

- a. Modify item No. 1 to make the following changes as shown in underline/strikeout format below:

Limitations and Discharge Specifications. Remove section VI.C.1.h, Reopener Provision for Regional Monitoring Program, and Add add the following text in section VII, Compliance Determination, as shown in underline format below:

- b. Modify item No. 4 to make the following changes as shown in underline/strikeout format below:

Fact Sheet. Add the following text in section VI.D.1, Rationale for Monitoring and Reporting Requirements, as shown in underline format below:

11. Attachment E – Amending Waste Discharge Requirements Order R5-2013-0004, Mountain House Community Services District, Mountain House Wastewater Treatment Plant

- a. Correct the typographical error regarding the reference to section VI.C.1.j in the first paragraph of page E-1.

Waste Discharge Requirements Order R5-2013-0004 (NPDES No. CA0084271) is amended solely to address the Regional Monitoring Program in accordance with the Limitations and Discharge Requirements, section VI.C.1.j.

- b. Modify item No. 1 to make the following changes as shown in underline/strikeout format below:

Limitations and Discharge Specifications. Remove section VI.C.1.j, Reopener Provision for Regional Monitoring Program, and Add-add the following text in section VII, Compliance Determination, as shown in underline format below:

12. Attachment F – Amending Waste Discharge Requirements Order R5-2013-0125, City of Lodi, White Slough Water Pollution Control Facility

- a. Modify item No. 1 to make the following changes as shown in underline/strikeout format below:

Limitations and Discharge Specifications. Remove section VI.C.1.g, Reopener Provision for Regional Monitoring Program, and Add-add the following text in section VII, Compliance Determination, as shown in underline format below:

13. Attachment H – Amending Waste Discharge Requirements Order R5-2013-0157, Ironhouse Sanitary District, Water Recycling Facility

- a. Modify item No. 1 to make the following changes as shown in underline/strikeout format below:

Limitations and Discharge Specifications. Remove section VI.C.1.g, Reopener Provision for Regional Monitoring Program, and Add-add the following text in section VII, Compliance Determination, as shown in underline format below:

- b. Modify item No. 3 to make the following changes as shown in underline/strikeout format below:

Fact Sheet. Remove section VI.B.1.e, Rationale for Reopener Provision for Regional Monitoring Program, and Add-add section VII.D.1.e, Rationale for Monitoring and Reporting Requirements, as shown in underline format below:

14. Attachment I – Amending Waste Discharge Requirements Order R5-2013-0106, City of Brentwood, Wastewater Treatment Plant

- a. Modify item No. 1 to make the following changes as shown in underline/strikeout format below:

Limitations and Discharge Specifications. Remove section VI.C.1.i, Reopener Provision for Regional Monitoring Program, and Add-add the following text in section VII, Compliance Determination, as shown in underline format below:

15. Attachment J – Amending Waste Discharge Requirements Order R5-2014-0073, Town of Discovery Bay Community Services District, Discovery Bay Wastewater Treatment Plant

- a. Modify item No. 1 to make the following changes as shown in underline/strikeout format below:

Limitations and Discharge Specifications. Remove section VI.C.1.g, Reopener Provision for Regional Monitoring Program, and Add-add the following text in section VII, Compliance Determination, as shown in underline format below:

- b. Modify item No. 4 to make the following changes as shown in underline/strikeout format below:

Fact Sheet. Remove section VI.B.1.e, Rationale for Reopener Provision for Regional Monitoring Program, and Add-add section VII.D.1.g, Rationale for Monitoring and Reporting Requirements, as shown in underline format below:

16. Attachment K – Amending Waste Discharge Requirements Order R5-2014-0012, City of Rio Vista, Beach Wastewater Treatment Facility

- a. Modify item No. 1 to make the following changes as shown in underline/strikeout format below:

Limitations and Discharge Specifications. Remove section VI.C.1.g, Reopener Provision for Regional Monitoring Program, and Add-add the following text in section VII, Compliance Determination, as shown in underline format below:

- b. Modify item No. 3 to make the following changes as shown in underline/strikeout format below:

Fact Sheet. Remove section VI.B.1.e, Rationale for Reopener Provision for Regional Monitoring Program, and Add-add section VII.D.1.e, Rationale for Monitoring and Reporting Requirements, as shown in underline format below:

17. Attachment M – Amending Waste Discharge Requirements Order R5-2014-0072, City of Vacaville, Easterly Wastewater Treatment Plant

- a. Modify item No. 1 to make the following changes as shown in underline/strikeout format below:

Limitations and Discharge Specifications. Remove section VI.C.1.d, Reopener Provision for Regional Monitoring Program, and Add-add the following text in section VII, Compliance Determination, as shown in underline format below:

- b. Modify item No. 4 to make the following changes as shown in underline/strikeout format below:

Fact Sheet. Remove section VI.B.1.b, Rationale for Reopener Provision for Regional Monitoring Program, and Add-add section VII.D.1.e~~b~~, Rationale for Monitoring and Reporting Requirements, as shown in underline format below:

18. Attachment N – Amending Waste Discharge Requirements Order R5-2013-0127, City of Davis, Wastewater Treatment Plant

- a. Modify item No. 1 to make the following changes as shown in underline/strikeout format below:

Limitations and Discharge Specifications. Remove section VI.C.1.g, Reopener Provision for Regional Monitoring Program, and Add-add the following text in section VII, Compliance Determination, as shown in underline format below:

- b. Modify item No. 4 to make the following changes as shown in underline/strikeout format below:

Fact Sheet. Remove section VI.B.1.e, Rationale for Reopener Provision for Regional Monitoring Program, and Add-add section VII.D.1.d, Rationale for Monitoring and Reporting Requirements, as shown in underline format below: